

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

*In Re: Methyl Tertiary Butyl Ether (“MTBE”)  
Products Liability Litigation*

This document relates to:

*Commonwealth of Puerto Rico v.  
Shell Oil, et al.,*  
USDC-SDNY Civ. No. 07-10470(VSB)  
USDC-PR Civ. No. 07-01505 (CCC)

*Commonwealth of Puerto Rico v.  
Shell Oil, et al.,*  
USDC-SDNY Civ. No. 14-01014 (VSB)  
USDC-PR Civ. No. 13-01678 (ADC)

Master File No. 1:00 – 1898  
MDL 1358 (VSB)  
M21-88

Civil Action

**JOINT STIPULATION FOR VOLUNTARY DISMISSAL WITH PREJUDICE  
UNDER FED. R. CIV. P. 41(A)(2) AS TO SUNOCO DEFENDANTS**

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff, the Commonwealth of Puerto Rico and the Commonwealth of Puerto Rico through the Puerto Rico Environmental Quality Board (“Plaintiff”), and defendants ETC Sunoco Holdings LLC (f/k/a Sunoco Inc.), Energy Transfer (R&M), LLC (f/k/a Sunoco Inc. (R&M)), and Puerto Rico Sun Oil Company (the “Sunoco Defendants”, and together with Plaintiff “the Parties”) request the Court to enter an agreed stipulated Order dismissing with prejudice all claims against the Sunoco Defendants.

WHEREAS, the Sunoco Defendants were served with process in the cases No. 07-cv-01505 (CCC) (“Puerto Rico 1”) and Case No. 13-cv-01678 (ADC) (“Puerto Rico 2”) initially filed in the United States District Court for the District of Puerto Rico, which were consolidated in MDL 1358 in the United States District Court for the Southern District of New York, Civil Case Nos. 07-Civ-10470(VSB) and 14-01014 (VSB) (hereafter referred to as “the Litigation”).

WHEREAS, the Sunoco Defendants served answers in the Litigation.

WHEREAS, The Parties have agreed to the dismissal *with prejudice* of the Sunoco Defendants from the Litigation. The Parties have agreed that each shall bear their own costs, expenses, and attorney fees.

WHEREFORE, the Parties request this Court to enter the proposed stipulated Order of Dismissal with Prejudice under Rule 41(a)(2) of the Federal Rules of Civil Procedure, costs and expenses to be borne by the party incurring them.

RESPECTFULLY SUBMITTED.

In New York, New York, this 23rd day of March, 2023.

***Attorneys for Plaintiff The Commonwealth of Puerto Rico***

DOMINGO EMANUELLI HERNÁNDEZ  
Secretary of Justice

SUSANA I. PEÑAGARÍCANO-BROWN  
Deputy Secretary in Charge of Litigation  
Department of Justice of Puerto Rico

*s/ John K. Dema*

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*s/ John S. Guttman*

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